IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4203 OF 2007

Kishankumar Jugalkishor Kedia] .. Petitioner

Versus

1. The Executive Engineer, Pune Irriga-]
-tion Department & 4 ors.] .. Respondents

Mr. Y.S. Jahagirdar, senior counsel with Mr. G.S. Godbole for the petitioner.

Mr. A.A. Kumbhakoni, Associate Advocate General with Mr. N.P. Deshpande, AGP, for the respondents No.1 to 5.

CORAM: S.B. MHASE &
D.G. KARNIK, JJ.

DATED: 11TH SEPTEMBER, 2007

P.C. :

. Mr. A.A. Kumbhakoni, the Associate Advocate General states that the Irrigation Department and more specifically the respondents in the Petition will follow the provisions of Sections 93, 94 and 95 of the Maharashtra Irrigation Act. He further states that the action of demolition of construction, which is likely to be carried out by the respondents, will be taken after appropriate orders are passed by the Magistrate in a proceeding under Section 94(3) of the Maharashtra Irrigation Act. The statement is accepted.

2. In view of the above statement made by the Associate Advocate General, Mr. Y.S. Jahagirdar, the senior counsel for the petitioner seeks leave to withdraw this Petition. Petition is allowed to be withdrawn and stands disposed of as withdrawn.

3. Contentions of both the sides are kept open.

Sd/-
[D.G. KARNIK, J.]

Sd/-
[S.B. MHASE, J.]